



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> Street, S.W.**  
**Washington, D.C. 20554**

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**DA 05-1638**  
**June 9, 2005**

## **COMMENTS INVITED ON APPLICATION OF SBC ADVANCED SOLUTIONS, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 05-206**  
**Comp. Pol. File No. 715**

**Comments Due: July 9, 2005**

### **Section 214 Application**

**Applicant: SBC Advanced Solutions, Inc.**

On **May 24, 2005**, **SBC Advanced Solutions, Inc.** (SBC-ASI or Applicant), located at **1010 N. St. Marys, Room 13M, San Antonio, TX 78215**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue a domestic service in Los Angeles and San Francisco, California.

SBC-ASI indicates that it currently offers and markets Network Access Point (NAP) service, which uses ATM Technology to allow Internet Service Providers (ISPs), and government, research, and educational organizations to interconnect and exchange information. SBC-ASI states that this exchange of Internet traffic is often referred to as "peering." According to SBC-ASI, the West NAP is one of four original National Science Foundation sponsored NAPs that was initially created to allow ISPs to interconnect and exchange Internet traffic amongst themselves (public peering) using ATM layer 2 technology. SBC-ASI maintains that technology and Internet access architecture have changed and rendered such service obsolete. Accordingly, SBC-ASI states that it seeks to discontinue the service as soon as it receives authorization from the Commission. SBC-ASI indicates that it does not have any customers for this service with which to provide notice consistent with section 63.71(a) of the Commission's rules, but that in an abundance of caution, it placed a classified advertisement in the Los Angeles Times and the San Francisco Chronicle announcing its intention to discontinue offering the service on June 1, 2005. SBC-ASI asserts that it is a non-dominant provider of advanced services and that it has requested that the Commission confirm this status. SBC-ASI notes, however, that out of an abundance of caution it has followed the process for dominant carriers for this particular filing and that its filing does not imply consent to dominant carrier regulation.

In accordance with section 63.71(c) of the Commission's rules, SBC-ASI's application will be deemed to be automatically granted on the sixtieth (60th) day after the release date of this public notice, unless the Commission notifies SBC-ASI that the grant will not be automatically effective. Accordingly,

pursuant to section 63.71(c), absent further Commission action, SBC-ASI may not terminate service until **August 8, 2005**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **July 9, 2005**. Such comments should refer to **WC Docket No. 05- 206 and Comp. Pol. File No. 715**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line “get form <your e-mail address>.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission’s contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission’s copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or John Adams, (202) 418-0394 (voice), [john.adams@fcc.gov](mailto:john.adams@fcc.gov) of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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